

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LP MATTHEWS, L.L.C.,

Plaintiff,

v.

BATH & BODY WORKS, INC.,

and

LIMITED BRANDS, INC.,

and

KAO BRANDS CO. (f/k/a THE ANDREW
JERGENS COMPANY),

and

KAO CORPORATION,

Defendants.

C.A. No. 04-1507 (SLR)
JURY TRIAL DEMANDED

**DECLARATION OF DAVID M. HILL, ESQ. IN SUPPORT OF THE
OPENING BRIEF IN SUPPORT OF DEFENDANTS BATH & BODY
WORKS, INC. AND LIMITED BRANDS, INC.'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 112**

I, David M. Hill, hereby declare as follows:

1. I am a partner of Ward & Olivo, counsel of record in this action for Defendants Bath & Body Works, Inc. and Limited Brands, Inc. (collectively referred to as the "Limited Defendants"). I am a member of the Bar of the State of New York and have been admitted *pro hac vice* to represent the Limited Defendants in this action. I have personal knowledge of the matters stated in this declaration and would testify truthfully if called upon to do so.

2. Attached hereto as Exhibit A is a true and correct of United States Patent No. 5,063,062, dated November 5, 1991.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at New York, New York, this 6th day of July, 2006.


David M. Hill